

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

TAYLOR ENERGY COMPANY LLC,

*

CASE NO. 16-12C

Plaintiff,

*

VERSUS

*

JUDGE NANCY B. FIRESTONE

THE UNITED STATES OF AMERICA,

*

*

Defendant.

* * * * *

MOTION TO UNSEAL IBLA DECISION

Plaintiff Taylor Energy Company LLC (“Taylor Energy”) moves to unseal Dkt. 93-1, the October 30, 2018 decision of the Interior Board of Land Appeals (“IBLA”) in case number IBLA 2015-207. Defendant United States of America (“the Government”) consents to this motion.

On October 17, 2018, this Court ordered the Government “to file the unredacted [IBLA] decision [in case number 2015-207] with this court under seal by October 31, 2018.” Dkt. 89. IBLA issued its decision on October 30, 2018, *see* Dkt. 92, and the next day the Government filed that opinion with this Court under seal, *see* Dkt. 93-1 (the IBLA decision).

The IBLA decision has subsequently become publicly available. For example, it can be accessed on Westlaw at 193 IBLA 283, 2018 WL 6620460. “The United States Court of Appeals for the Federal Circuit has held that ‘a presumption of public access to judicial records’ exists.” *ManTech Advanced Sys. Int'l, Inc. v. United States*, 141 Fed. Cl. 493, 498 n.1 (2019) (Firestone, C.J.) (quoting *Baystate Techs., Inc. v. Bowers*, 283 F. App'x 808, 810 (Fed. Cir. 2008)). In light of the public availability of the IBLA decision, this presumption should be honored here.

Respectfully submitted this 30th day of March, 2020.

/s/ Carl D. Rosenblum

CARL D. ROSENBLUM, T.A.
ALIDA C. HINKEL
LAUREN C. MASTIO
Jones Walker LLP
201 St. Charles Avenue, 49th Floor
New Orleans, Louisiana 70170-5100
Telephone: (504) 582-8000
Facsimile: (504) 589-8296
crosenblum@joneswalker.com

And

PAUL A. DEBOLT
Venable LLP
600 Massachusetts Avenue, NW
Washington, D.C. 20001
Telephone: (202) 344-4000

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of March, 2020, a true and correct copy of the above and foregoing was filed electronically with the Clerk of Court using the CM/ECF system. Notice of this filing will be sent to all counsel of record participating in CM//ECF by operation of the court's electronic filing system.

/s/ Carl D. Rosenblum